



The Comptroller General
of the United States

Washington, D.C. 20548

Lieberman

Decision

Matter of: Satellite Services, Inc.

File: B-227117

Date: May 18, 1987

DIGEST

Protest from the second low bidder, which is not in line for the award if the protest, essentially on behalf of the low bidder, is upheld, is dismissed because the protester does not have the requisite direct economic interest required to be considered an interested party under the Bid Protest Regulations.

DECISION

Satellite Services, Inc., protests the Air Force's delay in conducting a preaward survey and making an award to NODAK, the low bidder under solicitation No. F20603-87-B-0002, for transient aircraft services at Wurtsmith Air Force Base, Michigan.

We dismiss the protest because Satellite is not an interested party.

The solicitation was issued to implement the Office of Management and Budget Circular A-76, by determining whether the services in question should be provided by a contractor or by government personnel. Both NODAK, the low bidder, and Satellite, the second low bidder, submitted bids which were below the government's cost estimate for in-house performance of the work in question. NODAK was determined by the Air Force to be in line for award, subject to a preaward survey to determine that NODAK is responsible. Satellite protests that more than 5 months have elapsed since bid opening and the Air Force has neither completed the preaward survey of NODAK, nor made an award to NODAK. Satellite requests that our Office require the Air Force to complete the preaward survey and make the award with a provision to add time to the contract award period to compensate for the performance period missed as a result of the Air Force's delay.

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Under our Bid Protest Regulations, 4 C.F.R. §§ 21.0(a) and 21.(a) (1986), in order to be considered an interested party for bid protest purposes, a protester must have a direct economic interest in the outcome of the protest. Here, Satellite does not allege that NODAK is ineligible for award; Satellite essentially is protesting that NODAK is being adversely affected by the Air Force's actions, and that NODAK is entitled to relief in the form of an award and a contract extension. Since Satellite has shown no prejudice to itself as a result of the Air Force's alleged delay because Satellite would not be in line for award if our Office were to sustain its protest, it is not an interested party to protest the Air Force's action. Galaxy Custodial Services, Inc., et al., 64 Comp. Gen. 593 (1985), 85-1 C.P.D. ¶ 658; Federal Electric Corp., B-220418.2, Apr. 1, 1987, 87-1 C.P.D. ¶ ____; Steel Style, Inc., B-219629, Aug. 9, 1985, 85-2 C.P.D. ¶ 156.

The protest is dismissed.

John F. Mitchell
for Robert M. Strong
Deputy Associate
General Counsel